Mr Madison's Resolutions.

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AND

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For the NATIONAL INTELLIGENCER.

SIR,

A late number of your paper contains some judicious remarks on the supposition of a moderate, just, and liberal opposition party, as affording a more salutary check to the abuse of power in a republican form of government than can possibly exist in a constitution, or in the enaction of laws.

It will no doubt be admitted on all hands, that a minority conducted on such principles, is one of the great, and perhaps chief blessings which flows from freedom of enquiry, and of the press: it is, therefore, really cause of regret that the opponents to the present order of things, have so widely departed from those principles of candor, and liberality, which ought to be the pride of every native American. But why should we say that they have *departed* from the meridian of candid censorship, when they can produce no proof of ever having been any nearer to it.

Indeed it seems to be the avowed design of most of the federal writers and printers, to traduce the private as well as the public characters of our rulers, and expose them to ridicule and mockery, rather than impartially to investigate their official conduct, and bestow censure or praise as they find either deserving. We have lately seen that a Batavian admiral, and a British officer of high rank could do justice to the merits of their most inveterate enemy in the acknowledgment of his bravery and nautical skill, while Americans whose chief boast ought to be generous feelings and sentiments, are breathing against each other invectives and illiberal abuse; and all this too, without any ostensible cause—without any complaints, founded in reason, or that can be remedied by force of any human agency. The very measures recommended by the mal-contents, to-day, are to-morrow the source of their greatest grievances.

The expense and procrastination of the Barbary war was charged to the imbecile measures of the executive. No sooner is peace made than 'tis premature and dishonorable, and fault is found because it was not longer continued — The spoliations committed on our trade by the nations at war in Europe, are now the subject of unceasing vituperation; and it is no doubt a just cause of complaint; but who is to blame for it? Surely not the President, nor those who are supposed to be in his confidence.

While his enemies deny him the possession of the ordinary capacities of a man, will they call on him for the exercise of powers, not less than Omnipotence itself? As well might they blame him for the devastations made by the late earthquakes in Italy as for those made by the lawless freebooters of the ocean. As the first could not be foreseen or averted, by human optics, or might; so neither can the latter be effectually prevented but by the people in their representative capacity, and this we hope and believe will shortly be done. But the bickerings and witticisms of this party are not directed against the administration alone. Every newspaper editor who is supposed to cherish principles similar to those of the executive; or has the justice to speak impartially of it, is proscribed, as a "hireling sycophant, unprincipled jacobin, demagogue, &c." It might be reasonably supposed that national pride, even without the aid of any other laudable motive, would be sufficient to restrain, those inordinate passions which give rise to such torrents of never failing contumely. Every American who feels complacency in his birthright as such, and whose business or inclination calls him to associate with foreigners, finds himself often mortified and put to the blush, by the ridicule drawn on his country, from the factious complexion of its newspapers. If intolerant editors of all parties would give up the low, narrow minded gratification, derived from personal recrimination, for the more enlarged pleasures flowing from a charitable and reasonable allowance for the frailties, attached to our nature—consider themselves the organ of public sentiments, and their characters allied to that of the nation at large; we should appear to other governments in a very different light to what we do at present. Let it also be remembered, that foreigners, inimical to our forms of government, are ever on the alert, to fan such divisions and if possible to kindle them into the flames of insurrection and all the horrors of civil war. The republican editors, with very few exceptions, have to their lasting credit, adhered to a spirit of forbearance; and such as have not, ough to remember that by acrimony and harshness they cannot expect to correct ill nature, or malevolence.

It is by mild and benevolent means alone, and not by fulminating denunciations, that republican principles *have* and will continue to gain strength. Good nature has all charming graces. Its bewitching sweetness will at last overcome the most obdurate perverseness. Had the adversaries of our present rulers been steadily actuated by sentiments of this nature, their cause would no doubt have been much better than it is at this day. But whether *in* or *out* of power they seem devoted to the same system of persecution.

With them it appears to be a war of opinion, more than measures, *tho' a sufficiency of both*, and nothing less than a renunciation of principle, or total extermination of those who profess it, will serve their turn.

One would imagine, that after finding themselves so often in the wrong—so often seeing their predictions fail to the ground, unregarded, they would grow more moderate, and more cautious of holding up the rueful pictures of futurity to view.—Those who are careful to preserve files of the newspapers, may see that the same tone of unrelenting severity, which is now echoed thro' the land, was also sounded in all directions when the present minority were in power nine or ten years ago. To such readers as have not the chance to examining old newspapers, & doubt our assertion, we would refer a perusal of Mr. Cliffton's poems, which were written in 96, and published by Mr. Fenno, in 1800, and speak pretty plainly the language of federalists at those periods. There are doubtless many of your readers who have not read this *paragon* of wit and genius, and have it not by them to read. We therefore take the liberty to present them with a few extracts from it.

In speaking of the Republicans, in the notices which the editor gives of these poems, he says—

"It is singular to behold these pestilent vipers exalting themselves to power, on the ground of revolutionary merits, when it is a recorded fact,* that the greater number either wavered till the termination of the contest, or alternately joined and deserted either party, as either party preponderated, or fairly proved cowards and retreated to lurking holes."

"These are the depraved miscreants who now affect to venerate the name of Washington, whom having pursued with their most venomous malignity while living, they now seek to dishonor by their praise when dead."

"*These are the men*" (says he ironically) "*in whom are exclusively pent up all the relics of ancient and modern republican virtues;—these are the freest, the most enlightened of statesmen and legislators, the wisest and most melodious of orators, the sublimest of poets and the bravest of heroes; the anointed guardians of liberty, the chosen champions of human dignity & equal rights.*" This he says "is a just picture of that arrogant tribe, into whose hands the new dynasty is about to pass," meaning the administration of Mr. Jefferson. He further adds that 'the poem concludes with a melancholy prognostication, which evidences the *deep* thought of the author—that he could see thro' the delusions of that day when the general cry was *redeunt saturnia regna*, the golden age is come again—and extend his penetrating view far through the mists of error and the veil of self-love."

This *all important* "prognostication and penetrating view" of future evil are couched in the following lines:

"The hour is hast'ning, when on equal feet,
Exalted virtue and low vice shall meet;
When envy, faction, insolence, shall rage,
In one wild tempest through the troubled age;
When human dignity shall meet its doom,
Devotion perish, reason, worth, a tomb
In the rude waste of ignorance shall find,
And true equality shall bless mankind."

The author of these lines is long since numbered with the dead. Far be it from us to disturb his ashes, but were he yet living what could or would he think of his "melancholy prognostication—his penetrating views through the mists of error?" What can his friends say now to "dangers the most imminent and glaring?" Nine years have now elapsed since those "imminent and glaring" dangers were foreseen by the prophetic eye of federalism—are they realized? Are they likely to be accomplished? Has devotion perished, or reason and worth found their tomb in the rude waste of ignorance? No, not at all. Then blush ye that calumniate the rulers of the people, and that foretell evils which never have and we hope never will come to pass. Here let us except many federalists whom we know think and act liberally—who respect their country and defend its rights. It is only those writers and printers, who arrogate to themselves the right of becoming the exclusive champions of their party, whom we wish to implicate in these remarks.

CLITUS and UNITY.

* *We should like to know where this "recorded fact" is to be found.*

An act to permit the importation of goods and commodities from countries in America belonging to any foreign European sovereign or state in neutral ships, during the present war, and until six months after the ratification of a definitive Treaty of Peace.

[10th April, 1805.]

WHEREAS by the laws now in force no goods or commodities whatsoever of the growth, production, or manufacture of America can (except in certain cases) be imported into this kingdom but in British built ships, owned and navigated according to law: And whereas it is expedient, under the present circumstances, to permit certain goods and commodities to be imported under certain restrictions in foreign ships belonging to subjects of states in amity with his majesty: Be it enacted by the king's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present Parliament assembled, and by the authority of the same, that, from and after the passing of this act, it shall and may be lawful for his majesty, by and with the advice of his Privy Council, to grant licence to any British subject or subjects to import into this kingdom for his or their own account, or for account of a subject or subjects of any state in amity with his majesty, from any country in America belonging to any foreign European sovereign or state, any goods or commodities of the growth or produce, whether manufactured or otherwise, of any such country, not prohibited to be used or consumed in this kingdom, in any ship or vessel belonging to any state in amity with his majesty, and under such rules, regulations, restrictions, and securities, as his majesty, with the advice of his Privy Council, shall approve, and subject to the same duties as such goods and commodities would be subject to if imported in any British built ship or vessel, and to the same rules, regulations, restrictions, and securities, penalties, and forfeitures, respecting the payment of the same; any law, custom, or usage, to the contrary in anywise notwithstanding: Provided always, that all sugar and coffee, imported in pursuance of this act, shall be warehoused immediately on importation, and shall not be taken out of warehouse to be used or consumed in this kingdom, but only for exportation to foreign parts: Provided always, that no such licence shall be granted to any person or persons who shall not have exported or given such security as shall be required for exporting from this kingdom according to law, to the possessions in America belonging to the same European sovereign or state, any goods or commodities bearing such proportion in value to the goods so to be imported as his majesty, by and with the advice aforesaid, shall think reasonable and shall direct: Provided always, that if any question shall arise in any case whether any thing which shall be done was authorised to be done by virtue of any such licence, the proof that such thing was done under the circumstances & according to the terms and conditions in such licence to be expressed, shall lie on the person or persons respectively claiming the benefit of such licence.

And be it enacted, That this act shall continue in force during the present war, and until six months after the ratification of a definitive treaty of peace.

RESOLUTIONS

Offered by Mr. MADISON in the year 1794, and his speech in support of them.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January* 4.

Mr. Madison submitted the following resolutions:

Resolved as the opinion of this committee, That the interest of the United States would be promoted by further restrictions and higher duties, in certain cases, on the manufactures and navigation of foreign nations employed in the commerce of the United States than those now imposed.

Resolved as the opinion of the committee, That an additional duty ought to be laid on the following articles manufactured by European nations, having no commercial treaty with the United States:—

On all clothes of which leather is the material of chief value, an additional duty of per centum ad valorem.

On all manufactured iron, steel, tin, pewter, copper, brass, or articles of which either of these metals is the material of chief value, an additional duty of per centum ad valorem.

On all articles of which cotton is the material of chief value, an additional duty of per centum ad valorem.

On all articles of which wool is the material of chief value, where the estimated value on which the duty is payable as above, an additional duty of per centum ad valorem; where such value is below an additional duty of per centum ad valorem.

On all manufactures of which hemp or flax is the material of chief value, and of which the estimated value on which the duty is payable is below an additional duty of per cent ad val.

On all manufactures of which silk is the material of chief value, an additional duty of per centum ad valorem.

2. *Resolved*, as the opinion of this committee, That an additional duty of per ton ought to be laid on the vessels belonging to nations having no commercial treaties with the United States.

3. *Resolved*, as the opinion of this committee, That the duty on vessels belonging to nations having commercial treaties with the United States, ought to be reduced to per ton.

4. *Resolved*, as the opinion of this committee, That where any nation may refuse to consider as vessels of the United States, any vessels not built within the United States, the foreign built vessels of such nation ought to be subjected to a like refusal, unless built within the United States.

5. *Resolved*, as the opinion of this committee, That where any nation may refuse to admit the produce or manufactures of the United States, unless in vessels belonging to the United States, or to admit them in vessels of the United States, if last imported from any place not within the United States, a like restriction ought, after the day of to be extended to the produce and manufactures of such nation; and that in the mean time, a duty of per ton, extraordinary, ought to be imposed on vessels so importing any such produce or manufacture.

6. *Resolved*, as the opinion of this committee, That when any nation may refuse to the vessels of the United States a carriage of the produce or manufactures thereof, whilst such produce or manufactures are admitted by it in its own vessels, it would be just to make the restrictions reciprocal; but inasmuch as such a measure, if suddenly adopted, might be particularly distressing in cases which merit the benevolent attention of the United States, it is expedient for the present that a tonnage extraordinary only of be imposed on the vessels so employed; and that all distilled spirits imported therein, shall be subjected to an additional duty of one part of the existing duty.

7. *Resolved*, as the opinion of this committee, That provision ought to be made for liquidating and ascertaining the losses sustained by citizens of the United States from the operation of particular regulations of any country contravening the law of nations, and that such losses be reimbursed in the first instance, out of the additional duties on the manufactures, productions and vessels of the nation establishing such unlawful regulations.

TUESDAY, *January* 14.

The house took into consideration the foregoing resolutions, the first whereof is as follows, viz.

Resolved, As the opinion of this committee, that the interest of the United States would be promoted by farther restrictions and higher duties, in certain cases, on the manufactures and navigation of foreign nations employed in the commerce of the United States, than those now imposed."

This resolution being read from the chair, it was expected that Mr. Smith, of South Carolina, agreeably to the hint which he gave yesterday, would have proceeded to finish his observations, some of which we laid before our readers in the Philadelphia Gazette of last Wednesday. In these he drew a general conclusion, that in comparing the policy of the British and French commercial regulations, and restrictions, upon the trade of the U. States, the balance was in favor of the former, & that whilst in the British system we held the the picture of an *open commercial enemy*, we might trace in the conduct of the French, the act of an *insidious friend*. And that upon the whole, Great-Britain was not only a better customer, but a better supplier for the United States, than France.

For some moments after the chairman had read the resolution, there was silence in the house, it being expected, that Mr. Smith would resume the thread of his arguments; but on his declining it.

Mr. Madison rose, and began, by observing, that he had expected the gentleman from South Carolina, who spoke yesterday, would have risen this day to conclude his observations, but that as he had not done so, and as no other person had risen, either to attack or defend the resolutions, he himself would presume to request the attention of the committee.

The gentleman who spoke yesterday had repeatedly pressed it on the house, that the discussion should be entirely free from all political considerations. In the course of his own remarks, he would find himself under the necessity to make several observations of a collateral nature, which were connected with the present political conduct of some of the states of Europe. It might, he said, be a question, how far it was proper for the government of any country to intermeddle in the management of its commerce. Perhaps it might be for the universal benefit of mankind, to establish a free trade in every quarter of the world, and at once to knock down all the barriers which had been erected by prejudice, by avarice and by despotism. This might perhaps be proper, but even to this theory of commerce, there were some strong exceptions. He would instance, for example, the British act of navigation. It had been in fact found, that eleven parts in twelve, of all the shipping employed in her trade, had been secured to her by that law; it took place in the year 1660. At that time the foreign tonnage employed in the British trade was equal to one-fourth part of the whole. In 1700, it was reduced to one sixth part; in 1722, it had risen to one fourth part; in 1750, it had sunk again to one-twelfth, and in 1774, it was about the same rate.

There was another important, and at the same time a very obvious exception to the doctrine of the perfect freedom of trade. When we can transplant the manufactures of other countries into the bosom of our own, the whole was a clear gain. This would be of the utmost advantage to the United States.

What would be the consequence to America, he asked, if her trade were left by government to regulate itself? The sequel would be that other nations would regulate our trade for us. This would destroy all the resources of our natural maritime strength, and leave us defenceless in the event of a rupture with any foreign nation.

It had been remarked, when his propositions were introduced, that the subject was not a novel one. In fact, it began with our political existence.

In 1784, the United States granted to Congress a power of regulating commerce. There was, however some radical defect in the system of government itself, and it failed. The state of Massachusetts attempted to establish an impost of a nature correspondent with the present propositions, and some other states showed a similar disposition, but from various reasons the projects proved abortive. He believed, that it must be in the recollection of every member, that the regulation of our commerce was one of the principal objects held in view by the establishment of the federal constitution, and without that view, there was the greatest reason to think that the constitution never would have existed.

It was expected that such an attempt would be made, and the experiment had accordingly been made. It passed through the house of representatives at New-York, but it expired in the senate. They approved of the principle, but they disliked the mode of reducing it to practice. The subject hath since been in a dormant state, as no substitute had been proposed by the house. If the senate at that time had any good reasons for their objections, these reasons are now at an end. At New-York it was zealously and successfully contended, that the treaty of peace was then on the point of being put into execution. A commercial treaty might likewise perhaps be agreed upon; and therefore that it was proper in the mean time to be as obliging as possible. The business of regulating our commerce was consequently arrested, for the moment, in its progress, until the present time—"We have waited, sir," said Mr. Madison, "the treaty of peace is not yet executed. There is no negociation for a commercial treaty in train, or in prospect." He was of opinion that we had shewn sufficient generosity and forbearance, and since these trials had failed, and as we had gained nothing by them, we were now *free* to act as we might think proper, and we were *bound* to do so. He should therefore proceed to consider the proposition, as affecting the interest of this country, under three different heads:—

First, as to navigation; second, as to manufactures; and third, as to discriminating between different nations.

He began with the article of navigation.

As to Britain, our situation with that country was the *most unequal* that could be devised. The British were at liberty to bring the produce of every country to America, while we cannot carry the produce of the United States in our own vessels, to most of the British markets, nor can we employ the vessels of other countries to do it. As to the West Indies, we were in a manner absolutely excluded from them; although we are so excellently situated by nature for mutual intercourse. The gentleman from South Carolina had considered it as a favor to the United States, that our productions may be carried to the British West Indies while those of other nations were not suffered to be so. This he said was a mere form, since it had been found by experience, that there was not another country in the world that could supply the West Indies.

(*To be Continued.*)

HUGH DRUMMOND.

HAS just opened a house of entertainment in the house lately occupied by D. DO[illegible] near the Navy Yard—He has provided the best liquors, stabling, &c. for the accommodation of travellers and others, and he flatters himself that he will give satisfaction to those who may honor him with their custom.

Nov. 22d—w4t.